IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: R. Alan Neely
Serial No.: 09/741,620
Filed: December 19, 2000
Confirmation No. 5816
For: **INTERACTIVE INVOICER INTERFACE**

Examiner: L. Hamilton
Art Unit: 3624

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

In response to the Notice of Abandonment mailed March 8, 2000, please find submitted herewith a copy of the Response to the Office Action dated August 11, 2006, that was mailed to the Patent Office on January 11, 2007. The Notice of Abandonment stated that a reply to the August 11, 2006 Office Action was not timely filed. A copy of this firm's date-stamped, return postcard is also being submitted. Therefore, it is respectfully requested that the Notice of Abandonment be withdrawn and that this application be reinstated.

The Commissioner is authorized to charge any fee that may be required for this response to Deposit Account 501923.

Respectfully submitted,

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Date: March 12, 2007
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Filing/Issue Date: 12-19-00

Applicant/Inventor Name: Neely

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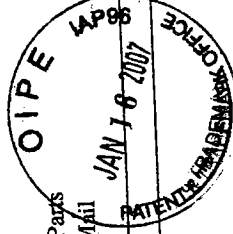
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PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Neely *et al.*
Serial No.: 09/741,620   Examiner: L. Hamilton
Filed: December 19, 2000   Art Unit: 3693
Confirmation No.: 5816
For: **INTERACTIVE INVOICER INTERFACE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AND PETITION FOR EXTENSION OF TIME

In response to the Office Action mailed August 11, 2006, please amend the above-identified application as shown. In addition, please provide a two-month Extension of Time up to and including January 11, 2007 to answer the Office Action as provided for in 37 CFR 1.136. A check of $450.00 for the Extension of Time fee is enclosed.

If any further Extension of Time or additional fees for the accompanying response are required, Applicant requests that this be considered a Petition therefore. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account 501923.

Amendments to the Claims begins on Page 2.

Remarks begin on Page 23.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1.(Currently amended) An automated electronic invoicing and payment consolidation system for providing remote customer review of customer account information from at least two invoicers or entities acting on behalf of said invoicers, said system comprising:

      (a)   a consolidated invoicer interface wherein said invoicer interface includes: (i) at least one access point to each of the invoicers or entities acting on behalf of said invoicers; (ii) means for setting said access point of each of the invoicers or entities acting on behalf of said invoicers for at least one customer; and (iii) means for authentication of each of said customers;

      (b)   a remote customer interface for accessing said consolidated invoicer interface; and

      (c)   a payment engine for electronically transmitting invoice payment instructions from the customer to each invoicer or entities acting on behalf of said invoicers.

2.(Currently amended) The system according to Claim 1, wherein said payment engine includes: invoice presentation electronics adapted to present ~~customer billing data~~ an electronic invoice created by or on behalf of said invoicers from customer billing data stored on a server and only extracted by or on behalf of said invoicers for customer review and to request payment instructions relating to automated billing to said customer; and a remote electronic customer authorization interface adapted to: (i) receive the customer billing data for customer review and the request for payment instructions from said invoice presentation electronics; (ii) provide the customer billing data and the request for payment instructions to the customer; (iii) receive customer payment instructions from the customer in response to the request for payment

instructions; and (iv) transmit the customer payment instructions from the customer ~~directly~~ to each of the invoicers <u>or entities acting on behalf of said invoicers</u>~~, said payment instructions including at least an invoice account number and an associated customer payment account~~.

3.(Original) The system according to Claim 2, wherein said payment source is a clearing house.

4.(Original) The system according to Claim 3, wherein said clearing house is a courier.

5.(Original) The system according to Claim 3, wherein said clearing house is a payment network.

6.(Original) The system according to Claim 2, wherein said payment instructions include transmission date.

7.(Original) The system according to Claim 2, wherein said payment instructions include amount to draft from customer associated financial institution.

8.(Original) The system according to Claim 2, wherein said payment instructions include account information associated with the customer from which to draft payment.

9.(Currently amended) The system according to Claim 2, wherein said payment instructions include account information associated with each of the invoicers <u>or entities acting on behalf of said invoicers</u> from which to deposit payment.

10.(Original) The system according to Claim 2, wherein said billing data includes invoicer billing information.

11.(Original) The system according to Claim 10, wherein said billing information includes a due date.

12.(Original) The system according to Claim 10, wherein said billing information includes an amount due.

13.(Original) The system according to Claim 10, wherein said billing information includes a list of goods or services provided during a billing period.

14.(Original) The system according to Claim 10, wherein said billing information includes a late charge.

15.(Original) The system according to Claim 10, wherein said billing information includes account information.

16.(Original) The system according to Claim 1, wherein said billing data includes customer information.

17.(Original) The system according to Claim 16, wherein said customer information includes customer name.

18.(Original) The system according to Claim 16, wherein said customer information includes customer address.

19.(Original) The system according to Claim 16, wherein said customer information includes account information for the customer.

20.(Original) The system according to Claim 1, wherein said billing data includes a customer account identifier.

21.(Original) The system according to Claim 1, wherein said billing data includes an invoice identifier.

22.(Original) The system according to Claim 2, wherein said invoice presentment electronics further includes invoice information relating to customer bills and account information relating to financial institutions associated with the customer from which payments may be drafted.

23.(Original) The system according to Claim 22, wherein said invoice presentment electronics further includes preauthorized payment instructions for automated payment of a billing amount set out in said billing information from an account set out in said account information.

24.(Original) The system according to Claim 23, wherein the request for payment instructions from said invoice presentment electronics query the customer if the preauthorized payment instructions are desired for the billing data presented.

25.(Original) The system according to Claim 23, wherein the request for payment instructions from said invoice presentment electronics query the customer if the preauthorized payment instructions need modification for the billing data presented.

26.(Original) The system according to Claim 23, wherein said customer authorization interface includes an editor for modifying the preauthorized payment instructions.

27.(Original) The system according to Claim 22, wherein the account information includes account information from a plurality of financial institutions and the request for payment instructions query the customer to select the financial institution from which to draft payment for an associated customer bill.

28.(Original) The system according to Claim 27, wherein said invoice presentment electronics includes a preauthorized default identifying the financial institution from which to draft payment for said associated customer bill.

29.(Original) The system according to Claim 28, wherein said electronic customer authorization interface is adapted to receive a customer input to accept the preauthorized default.

30.(Original) The system according to Claim 28, wherein said electronic customer authorization interface is adapted to receive a customer input to modify the preauthorized default.

31.(Original) The system according to Claim 2, wherein said request for payment instructions include billing information selected from the group consisting of amount due, time of payment, account from which to draft payment.

32.(Original) The system according to Claim 31, wherein said customer authorization interface is adapted to modify the billing information to change one or more of the group consisting of amount due, time of payment and account from which to draft payment.

33.(Original) The system according to Claim 2, wherein said billing data include notices for the customer.

34.(Original) The system according to Claim 2, wherein said billing data include advertising information directed towards the customer.

35.(Original) The system according to Claim 2, wherein said billing data include control information.

36.(Original) The system according to Claim 2, wherein said payment instructions include a date to draft payment.

37.(Original) The system according to Claim 2, wherein said payment instructions include an amount of invoice.

38.(Currently amended) The system according to Claim 2, wherein each of the invoicers or entities acting on behalf of said invoicers provide a customer accessible site for receiving said billing data and said request for payment instructions, said site accessible from said electronic customer authorization interface.

39.(Original) The system according to Claim 38, wherein said customer accessible site is an Internet site and said electronic customer authorization interface includes a browser for accessing said customer accessible site.

40.(Original) The system according to Claim 38, wherein said electronic customer authorization interface is an automated teller machine.

41.(Original) The system according to Claim 38, wherein said electronic customer authorization interface is a remote kiosk.

42.(Original) The system according to Claim 38, wherein said electronic customer authorization interface is a personal computer.

43.(Original) The system according to Claim 38, wherein said electronic customer authorization interface is an interactive television.

44.(Original) The system according to Claim 38, wherein said electronic customer authorization interface is a telephone.

45.(Original) The system according to Claim 38, wherein said electronic customer authorization interface is a computer, said billing data and said request for payment instructions are presented by e-mail to the customer and the customer payment instructions are provided by a customer e-mail.

46.(Original) The system according to Claim 38, wherein said electronic customer authorization interface includes a display for presenting said billing data and said request for payment instructions and a customer actuable input for receiving customer payment instructions.

47.(Original) The system according to Claim 38, wherein said electronic customer authorization interface includes audio electronics and a speaker for presenting said billing data and said request for payment instructions and a customer actuable input for receiving customer payment instructions.

48.(Original) The system according to Claim 38, wherein said electronic customer authorization interface is adapted to allow a customer to poll said invoice presentment electronics to receive said billing data and said request for payment instructions.

49.(Original) The system according to Claim 2, wherein said remote customer interface includes an access program and a server connection.

50.(Original) The system according to Claim 49, wherein said access program is an Internet server.

51.(Original) The system according to Claim 49, wherein said server connection is an Internet server connection.

52.(Original) The system according to Claim 51, wherein said Internet server connection is an Internet dial-up connection.

53.(Currently amended) A consolidated invoicer interface for an automated electronic invoicing and payment system for providing remote customer review of customer account information from at least two invoicers <u>or entities acting on behalf of said invoicers</u>, said system comprising:

(a)   at least one access point to each of the invoicers <u>or entities acting on behalf of said invoicers</u>;

(b)   means for setting said access point of each of the invoicers <u>or entities acting on behalf of said invoicers</u> for at least one customer;

(c)   means for authentication of each of said customers;

(d)   means for automatically requesting account information for said customers ~~directly~~ from each of the invoicers <u>or entities acting on behalf of said invoicers</u>; and

(e)   means for electronically transmitting invoice payment instructions from said customers to each <u>of the</u> invoicer<u>s or entities acting on behalf of said invoicers</u>.

54.(Currently amended) The system according to Claim 53, wherein said at least one access point to one of the invoicers <u>or entities acting on behalf of said invoicers</u> is the invoicer's URL.

55.(Original) The system according to Claim 53, wherein said at least one access point to one of the invoicers further includes a plurality of access points to each invoicer.

56.(Original) The system according to Claim 53, wherein said each of said access points of each of said invoicer's are a URL at a portal site.

57.(Currently amended) The system according to Claim 53, wherein the means for setting an access point of each of the invoicers <u>or entities acting on behalf of said invoicers</u> includes a transfer of invoicer's URL from invoicer's Web site.

58.(Currently amended) The system according to Claim 57, wherein the means for setting an access point of each of the invoicers or entities acting on behalf of said invoicers further includes a collection of access points for providing a directory of accessible portals and invoicers or entities acting on behalf of said invoicers.

59.(Original) The system according to Claim 58, wherein said collection of access points includes at least one of an invoicer's URLs, portal URLs and payment engine URLs.

60.(Currently amended) The system according to Claim 53, wherein said means for setting the access point of each of the invoicers or entities acting on behalf of said invoicers further includes means for setting up payment of the customer.

61.(Original) The system according to Claim 60, wherein said means for setting up the payment of the customer is at the portal.

62.(Original) The system according to Claim 60, wherein said means for setting up the payment of the customer is a data entry point at the invoicer.

63.(Original) The system according to Claim 60, wherein said means for setting up the payment of the customer is at the invoicer's payment engine.

64.(Original) The system according to Claim 53, wherein the means for authentication is stored on a portal.

65.(Original) The system according to Claim 64, wherein said means for authentication stored on portal is a name/password pair.

66.(Original) The system according to Claim 64, wherein said means for authentication stored on portal further includes invoicer authentication.

67.(Original) The system according to Claim 66, wherein said invoicer authentication is a name/password pair.

68.(Original) The system according to Claim 53, wherein said means for authentication is invoicer authentication.

69.(Original) The system according to Claim 68, wherein said invoicer authentication is stored on invoicer's site.

70.(Original) The system according to Claim 69, wherein said invoicer authentication stored on invoicer's site is a name/password pair.

71.(Original) The system according to Claim 53, wherein said means for automatically requesting customer account information is a URL request to invoicer's Web site.

72.(Original) The system according to Claim 53, wherein said customer account information includes invoicer content.

73.(Original) The system according to Claim 72, wherein said content includes at least one of the following: current bill "summary", billing/payment history "summary", invoicer notice/messages "summary", notes or detail.

74.(Original) The system according to Claim 53, wherein said customer account information includes purchase orders.

75.(Original) The system according to Claim 53, wherein said customer account information includes shipping documents.

76.(Original) The system according to Claim 53, wherein the data format of said customer account information is at least one of the following: XML, EDI, graphic, text and IFX/OFX.

77.(Currently amended) An automated electronic invoicing and payment consolidation system for providing remote customer review of customer account information from at least two invoicers <u>or entities acting on behalf of said invoicers,</u> said system comprising:

    (a)   a consolidated invoicer interface wherein said invoicer interface includes: (i) at least one access point to each of the invoicers <u>or entities acting on behalf of said invoicers</u>; (ii) means for setting said access point of each of the invoicers <u>or entities acting on behalf of said invoicers</u> for at least one customer; (iii) means for authentication of each of said customers; and (iv) means for automatically requesting account information for said customers ~~directly~~ from each of the invoicers <u>or entities acting on behalf of said invoicers</u>;

    (b)   a remote customer interface for accessing said consolidated invoicer interface; and

    (c)   a payment engine wherein the customer payment instructions are sent from the customer ~~directly~~ to each of the invoicers <u>or entities acting on behalf of said invoicers,</u> said payment engine including: invoice presentation electronics adapted to present ~~customer billing data~~ <u>an electronic invoice created by or on behalf of said invoicers from customer billing data stored on a server and only extracted by or on behalf of said invoicers</u> for customer review and to request payment instructions relating to automated billing to said customer; and a remote electronic customer authorization interface adapted to: (i) receive the customer billing data for customer review and the request for payment instructions from said invoice presentation electronics; (ii) provide the customer billing data and the request for payment instructions to the customer; (iii) receive customer payment instructions from the customer in response to the request for payment instructions; and (iv) transmit the customer payment instructions from the customer ~~directly~~ to each of the invoicers <u>or entities acting on behalf of said invoicers,</u> ~~said payment instructions including at least an invoice account number and an associated customer payment account.~~

78.(Original) The system according to Claim 77, wherein said payment source is a clearing house.

79.(Original) The system according to Claim 78, wherein said clearing house is a courier.

80.(Original) The system according to Claim 78, wherein said clearing house is a payment network.

81.(Original) The system according to Claim 77, wherein said payment instructions include transmission date.

82.(Original) The system according to Claim 77, wherein said payment instructions include amount to draft from customer associated financial institution.

83.(Original) The system according to Claim 77, wherein said payment instructions include account information associated with the customer from which to draft payment.

84.(Currently amended) The system according to Claim 77, wherein said payment instructions include account information associated with each of the invoicers or entities acting on behalf of said invoicers from which to deposit payment.

85.(Original) The system according to Claim 77, wherein said billing data includes invoicer billing information.

86.(Original) The system according to Claim 85, wherein said billing information includes a due date.

87.(Original) The system according to Claim 85, wherein said billing information includes an amount due.

88.(Original) The system according to Claim 85, wherein said billing information includes a list of goods or services provided during a billing period.

89.(Original) The system according to Claim 85, wherein said billing information includes a late charge.

90.(Original) The system according to Claim 85, wherein said billing information includes account information.

91.(Original) The system according to Claim 77, wherein said billing data includes customer information.

92.(Original) The system according to Claim 91, wherein said customer information includes customer name.

93.(Original) The system according to Claim 91, wherein said customer information includes customer address.

94.(Original) The system according to Claim 91, wherein said customer information includes account information for the customer.

95.(Original) The system according to Claim 77, wherein said billing data includes a customer account identifier.

96.(Original) The system according to Claim 77, wherein said billing data includes an invoice identifier.

97.(Original) The system according to Claim 77, wherein said invoice presentment electronics further includes invoice information relating to customer bills and account

information relating to financial institutions associated with the customer from which payments may be drafted.

98.(Original) The system according to Claim 97, wherein said invoice presentment electronics further includes preauthorized payment instructions for automated payment of a billing amount set out in said billing information from an account set out in said account information.

99.(Original) The system according to Claim 98, wherein the request for payment instructions from said invoice presentment electronics query the customer if the preauthorized payment instructions are desired for the billing data presented.

100.(Original) The system according to Claim 98, wherein the request for payment instructions from said invoice presentment electronics query the customer if the preauthorized payment instructions need modification for the billing data presented.

101.(Original) The system according to Claim 98, wherein said customer authorization interface includes an editor for modifying the preauthorized payment instructions.

102.(Original) The system according to Claim 97, wherein the account information includes account information from a plurality of financial institutions and the request for payment instructions query the customer to select the financial institution from which to draft payment for an associated customer bill.

103.(Original) The system according to Claim 102, wherein said invoice presentment electronics includes a preauthorized default identifying the financial institution from which to draft payment for said associated customer bill.

104.(Original) The system according to Claim 103, wherein said electronic customer authorization interface is adapted to receive a customer input to accept the preauthorized default.

105.(Original) The system according to Claim 103, wherein said electronic customer authorization interface is adapted to receive a customer input to modify the preauthorized default.

106.(Original) The system according to Claim 77, wherein said request for payment instructions include billing information selected from the group consisting of amount due, time of payment, account from which to draft payment.

107.(Original) The system according to Claim 106, wherein said customer authorization interface is adapted to modify the billing information to change one or more of the group consisting of amount due, time of payment and account from which to draft payment.

108.(Original) The system according to Claim 77, wherein said billing data include notices for the customer.

109.(Original) The system according to Claim 77, wherein said billing data include advertising information directed towards the customer.

110.(Original) The system according to Claim 77, wherein said billing data include control information.

111.(Original) The system according to Claim 77, wherein said payment instructions include a date to draft payment.

112.(Original) The system according to Claim 77, wherein said payment instructions include an amount of invoice.

113.(Currently amended) The system according to Claim 77, wherein each of the invoicers or entities acting on behalf of said invoicers provide a customer accessible site for receiving said billing data and said request for payment instructions, said site accessible from said electronic customer authorization interface.

114.(Original) The system according to Claim 113, wherein said customer accessible site is an Internet site and said electronic customer authorization interface includes a browser for accessing said customer accessible site.

115.(Original) The system according to Claim 113, wherein said electronic customer authorization interface is an automated teller machine.

116.(Original) The system according to Claim 113, wherein said electronic customer authorization interface is a remote kiosk.

117.(Original) The system according to Claim 113, wherein said electronic customer authorization interface is a personal computer.

118.(Original) The system according to Claim 113, wherein said electronic customer authorization interface is an interactive television.

119.(Original) The system according to Claim 113, wherein said electronic customer authorization interface is a telephone.

120.(Original) The system according to Claim 113, wherein said electronic customer authorization interface is a computer, said billing data and said request for payment instructions are presented by e-mail to the customer and the customer payment instructions are provided by a customer e-mail.

121.(Original) The system according to Claim 113, wherein said electronic customer authorization interface includes a display for presenting said billing data and said request for payment instructions and a customer actuable input for receiving customer payment instructions.

122.(Original) The system according to Claim 113, wherein said electronic customer authorization interface includes audio electronics and a speaker for presenting said billing data and said request for payment instructions and a customer actuable input for receiving customer payment instructions.

123.(Original) The system according to Claim 113, wherein said electronic customer authorization interface is adapted to allow a customer to poll said invoice presentment electronics to receive said billing data and said request for payment instructions.

124.(Original) The system according to Claim 77, wherein said remote customer interface includes an access program and a server connection.

125.(Original) The system according to Claim 124, wherein said access program is an Internet server.

126.(Original) The system according to Claim 124, wherein said server connection is an Internet server connection.

127.(Original) The system according to Claim 126, wherein said Internet server connection is an Internet dial-up connection.

128.(Original) The system according to Claim 77, wherein said at least one access point to one of the invoicers is the invoicer's URL.

129.(Currently amended) The system according to Claim 77, wherein said at least one access point to one of the invoicers or entities acting on behalf of said invoicers further includes a plurality of access points to each invoicer.

130.(Original) The system according to Claim 77, wherein said each of said access points of each of said invoicer's are a URL at a portal site.

131.(Currently amended) The system according to Claim 77, wherein the means for setting an access point of each of the invoicers <u>or entities acting on behalf of said invoicers</u> includes a transfer of invoicer's URL from invoicer's Web site.

132.(Currently amended) The system according to Claim 131, wherein the means for setting an access point of each of the invoicers <u>or entities acting on behalf of said invoicers</u> further includes a collection of access points for providing a directory of accessible portals and invoicers <u>or entities acting on behalf of said invoicers</u>.

133.(Original) The system according to Claim 132, wherein said collection of access points includes at least one of an invoicer's URLs, portal URLs and payment engine URLs.

134.(Currently amended) The system according to Claim 77, wherein said means for setting the access point of each of the invoicers <u>or entities acting on behalf of said invoicers</u> further includes means for setting up payment of the customer.

135.(Original) The system according to Claim 134, wherein said means for setting up the payment of the customer is at the portal.

136.(Original) The system according to Claim 134, wherein said means for setting up the payment of the customer is a data entry point at the invoicer.

137.(Original) The system according to Claim 134, wherein said means for setting up the payment of the customer is at the invoicer's payment engine.

138.(Original) The system according to Claim 77, wherein the means for authentication is stored on a portal.

139.(Original) The system according to Claim 138, wherein said means for authentication stored on portal is a name/password pair.

140.(Original) The system according to Claim 138, wherein said means for authentication stored on portal further includes invoicer authentication.

141.(Original) The system according to Claim 140, wherein said invoicer authentication is a name/password pair.

142.(Original) The system according to Claim 77, wherein said means for authentication is invoicer authentication.

143.(Original) The system according to Claim 142, wherein said invoicer authentication is stored on invoicer's site.

144.(Original) The system according to Claim 143, wherein said invoicer authentication stored on invoicer's site is a name/password pair.

145.(Original) The system according to Claim 77, wherein said means for automatically requesting customer account information is a URL request to invoicer's Web site.

146.(Original) The system according to Claim 77, wherein said customer account information includes invoicer content.

147.(Original) The system according to Claim 146, wherein said content includes at least one of the following: current bill "summary", billing/payment history "summary", invoicer notice/messages "summary", notes or detail.

148.(Original) The system according to Claim 77, wherein said customer account information includes purchase orders.

149.(Original) The system according to Claim 77, wherein said customer account information includes shipping documents.

150.(Original) The system according to Claim 77, wherein the data format of said customer account information is at least one of the following: XML, EDI, graphic, text and IFX/OFX.

151.(Currently amended) A method for automated electronic invoicing and payment consolidation ~~system~~ for providing remote customer review of customer account information from at least two invoicers or entities acting on behalf of said invoicers, said method comprising the steps of:

(a)   providing a consolidated invoicer interface wherein said invoicer interface includes: (i) at least one access point to each of the invoicers or entities acting on behalf of said invoicers; (ii) means for setting said access point of each of the invoicers or entities acting on behalf of said invoicers for at least one customer; and (iii) means for authentication of each of said customers;

(b)   accessing said consolidated invoicer interface through a remote customer interface; and

(c)   electronically transmitting invoice payment instructions from the customer to each invoicer or entities acting on behalf of said invoicers.

152.(Currently amended) A method for automated electronic invoicing and payment consolidation ~~system~~ for providing remote customer review of customer account information from at least two invoicers or entities acting on behalf of said invoicers using a consolidated invoicer interface, said method comprising the steps of:

(a)   providing at least one access point to each of the invoicers or entities acting on behalf of said invoicers;

(b)   setting said access point of each of the invoicers or entities acting on behalf of said invoicers for at least one customer;

(c)   authenticating each of said customers;

(d)   automatically requesting account information for said customers ~~directly~~ from each of the invoicers or entities acting on behalf of said invoicers; and

(e)   electronically transmitting invoice payment instructions from the customer to each ~~of the~~ invoicer<u>s</u> <u>or entities acting on behalf of said invoicers</u>.

153.(Currently amended) A method for automated electronic invoicing and payment consolidation ~~system~~ for providing remote customer review of customer account information from at least two invoicers <u>or entities acting on behalf of said invoicers</u>, said method comprising the steps of:

(a)   providing a consolidated invoicer interface wherein said invoicer interface includes: (i) at least one access point to each of the invoicers <u>or entities</u> <u>acting on behalf of said invoicers</u>; (ii) means for setting said access point of each of the invoicers <u>or entities acting on behalf of said invoicers</u> for at least one customer; (iii) means for authentication of each of said customers; and (iv) means for automatically requesting account information for said customers ~~directly~~ from each of the invoicers <u>or</u> <u>entities acting on behalf of said invoicers</u>;

(b)   accessing said consolidated invoicer interface <u>through</u> a remote customer interface; and

(c)   sending the customer payment instructions from the customer ~~directly~~ to each of the invoicers <u>or entities acting on behalf of said invoicers</u> using a payment engine including: invoice presentation electronics adapted to present ~~customer billing data~~ <u>an electronic invoice created by or on behalf</u> <u>of said invoicers from customer billing data stored on a server and only</u> <u>extracted by or on behalf of said invoicers</u> for customer review and to request payment instructions relating to automated billing to said customer; and a remote electronic customer authorization interface adapted to: (i) receive the customer billing data for customer review and the request for payment instructions from said invoice presentation electronics; (ii) provide the customer billing data and the request for payment instructions to the customer; (iii) receive customer payment instructions from the customer in response to the request for payment instructions; and (iv) transmit the customer payment instructions from the

customer ~~directly~~ to each of the invoicers <u>or entities acting on behalf of</u> <u>said invoicers</u>~~, said payment instructions including at least an invoice account number and an associated customer payment account~~.

Remarks

The Office Action mailed August 11, 2006 has been carefully considered. Claims 1, 2, 9 and 38; 53, 54, 57, 58 and 60; 77, 84, 113, 129, 131, 132 and 134; 151; 152; and 153 have been amended to further define the payment engine of the present inventions. Thus, apparatus Claims 1-52; 53-76; and 77-150; and corresponding method Claims 151; 152; and 153 remain in the case with none of the claims having been allowed.

The previous Office Action had rejected Claims 1-153 as being anticipated under 35 U.S.C. 102(b) by U.S. Patent No. 6,826,542 to Virgin *et al.* ("Virgin"). In response, the Applicant had previously amended its Claims 1; 53; 77 and 153 to add a payment engine. In this response, the Applicant has added further details of its payment engine to the pending claims to distinguish over the prior art cited by the Examiner. No new matter has been added and amendments have been made consistently with co-pending application U.S. Serial No. 11/105,737, which is a continuation of commonly owned U.S. Patent No. 6,044,362 issued to Neely on March 28, 2000.

The present inventions, as amended, include details of its payment engine and includes means for receiving an electronic invoice that is created by or on behalf of said invoicers from customer billing data and stored on a server and only extracted by or on behalf of said invoicers for customer review and a request for payment instructions from or on behalf of said invoicers. As shown in Figure 113B. a webserver 102 hosts an interactive session in which the customer accesses their invoice. (Page 27, lines 27-28) No data is downloaded onto the customer's computing unit, which includes billing information necessary to construct a complete invoice. This information is stored on the webserver and only extracted by or on behalf of said invoicers for customer review. (Page 27, lines 32-33) See, e.g. although the invoicer could host this server application itself, a preferred embodiment anticipates that an invoicer may choose to outsource webserver hosting or webserver and remittance processing to an outside company on behalf of the invoicer. (Page 28, lines 23-28)

In contrast, the Zervides reference discloses an electronic bill presentment sand payment system wherein an invoice prepared by a separate Supplier may be transmitted across a public network to a customer. This appears similar to conventional 3rd party systems such as Hite 5,465,206 cited by Zervides. Thus, the invoice itself must first be created by the Supplier and

then sent to the EICS to be presented by EICS to the customer. The EICS does not create the invoice in the Zervides reference.

Thus, Zervides does not expressly teach that the electronic invoice is "only stored on a server by or on behalf of said invoicer from customer billing data". It is respectfully submitted that this rejection is moot in view of the present amendment whereby the claim language in each pending independent claim "stored on a server and only extracted by or on behalf of said invoicer" clearly means that only the invoicer or an entity acting on his/her behalf can store the electronic invoice data on the server. Since this is not the case with Zervides where the customer receives an invoice prepared by the Suppler and only forwarded by the EICS, it is respectfully submitted that it would completely destroy Zervides to modify it this way. Thus, it is respectfully submitted that the claims, as amended, are patentable over the cited references.

Finally, the limitation, "said payment instructions including at least a customer invoice account number and an associated customer payment account" has been deleted from each of the claims. It is respectfully submitted that this limitation is not necessary to distinguish the present inventions from the prior art. Support may be found in the Specification, see, e.g. page 23, lines 3-7.

The Applicant submits that by this amendment, he has placed the case in condition for immediate allowance and such action is respectfully requested. However, if any issue remains unresolved, Applicant's attorney would welcome the opportunity for a telephone interview to expedite allowance and issue.
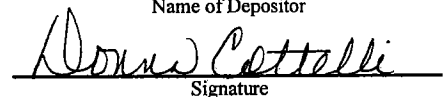
Respectfully submitted,

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